

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNY OWENS, JR.,

Defendant.

**CR-16-65-GF-BMM-JTJ**

**ORDER**

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on April 9, 2019. (Doc. 46.) The United States accused Denny Owens, Jr. of violating his conditions of supervised release by: (1) consuming alcohol on four separate occasions; (2) committing another crime; and (3) failing to report for substance abuse testing.

Judge Johnston entered Findings and Recommendations in this matter on April 10, 2019. (Doc. 50.) Owens waived his right to object to Judge Johnston's

Findings and Recommendations. *Id.* at 4. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The admitted violations prove serious and warrant revocation of Owens's supervised release. Judge Johnston has recommended that the Court revoke Owens's supervised release and commit Owens to the custody of the Bureau of Prisons for a term of 3 months, followed by 21 months of supervised release. (Doc. 50 at 4.) Just Johnston has further recommended that Owens serve the first 90 days of supervised release at Connections West in Butte, Montana. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Owens's violations of his conditions represent a serious breach of the Court's trust. A sentence of 3 months custody, followed by 21 months of supervised release represents a sufficient, but not greater than necessary sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 50) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Denny Owens be sentenced to 3 months custody, followed by 21 months of supervised. Owens shall serve the first 90 days of supervised release at Connections West in Butte, Montana.

DATED this 15th day of April, 2019.



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Brian Morris  
United States District Court Judge